

Docket Item #7
BZA #2020-00008
Board of Zoning Appeals
June 8, 2020

ADDRESS: 320 EAST MONORE AVENUE
ZONE: R-2-5/ SINGLE AND TWO-FAMILY ZONE
APPLICANT: KATHERINE I. GERHARD, APPLICANT

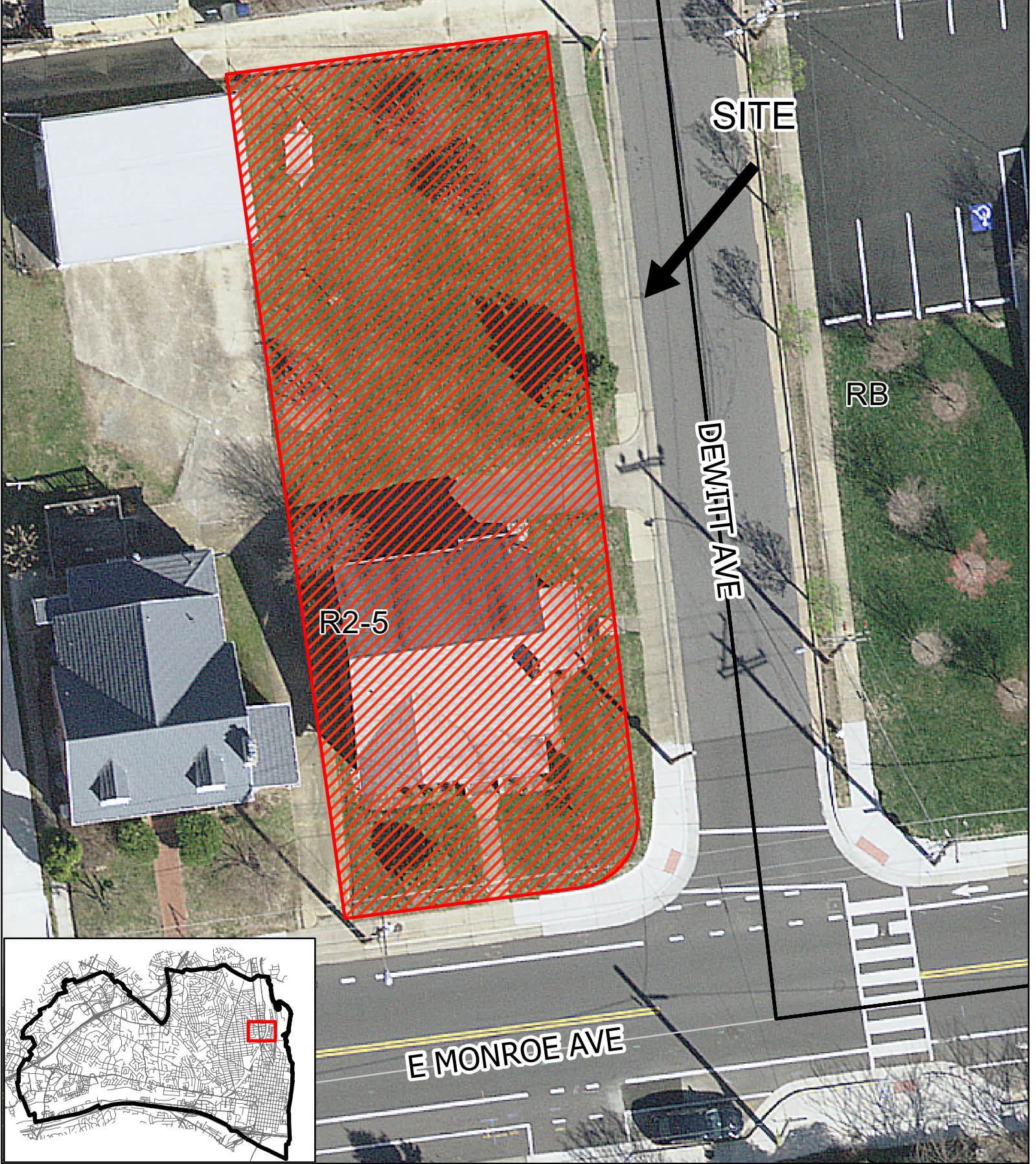
ISSUE: A variance to construct a second-story addition over the existing first floor.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-506(A)(1)	Front	13.00- 26.25 feet*	8.80 feet	4.20 feet*

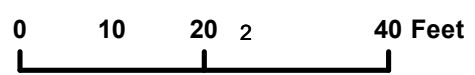
* Based on the range of the contextual block face.

Planning and Zoning staff **recommends approval** of the requested variance because the request meets the criteria for a variance.

If the Board grants the requested variance, the applicant must comply with all requirements of this report’s department comments. The applicant must also have the lots consolidated and submit a survey plat prepared by a licensed surveyor confirming building footprint, consolidation and setbacks prior to all final inspections. The variance must be recorded with the property’s deed in the City’s Land Records Office prior to the release of the building permit.



BZA #2020-00008
320 E Monroe Ave



I. Issue

The applicant proposes to add a second-story addition to accommodate a stairway in line with the existing wall of an enclosed front porch in the required secondary front yard facing DeWitt Avenue.

II. Background

The subject property is located on two lots of record containing 7,135 square feet of lot area, with a lot frontage of 47.24 feet facing East Monroe Avenue, 139.91 feet facing DeWitt Avenue, and depths of 51.60 feet along the north side property line and 142.00 feet along the west side property line. The subject property is a substandard lot in the R-2-5 zone with respect to lot width and frontage facing East Monroe Avenue.



Figure 1: Subject Property

The lot is currently developed with a single-family detached dwelling. The dwelling's front porch is located 21.00 feet from the south primary front property line, 8.80 feet from the east secondary front property line, 5.00 feet from the west side property line and 84.00 feet from the north side property line. According to real estate records, the residence was constructed in 1933.

The following table provide zoning analysis of the subject property.

R-2-5	Required/Permitted	Existing	Proposed
Lot Area	6,500 sq. ft.	7,145 sq. ft.	7,145 sq. ft.
Lot Width (Primary)	65.00 ft.	49.80 ft.	49.80 ft.
Lot Width (Secondary)	65.00 ft.	142.00 ft.	142.00 ft.
Lot Frontage (Primary)	40.00 ft.	47.24 ft.	47.24 ft.
Lot Frontage (Secondary)	40.00 ft.	139.93 ft.	139.93 ft.
Front Yard (Primary)	10.67ft. – 106.75 ft.*	21.00 ft.	21.00 ft.
Front Yard (Secondary)	13.00ft.- 26.25 ft. *	8.80 ft.	8.80 ft.
Side Yard (North)	7.00 ft. (minimum) 1:3 height to setback ratio	84.00 ft.	84.00 ft.
Side Yard (West)	7.00 ft. (minimum) 1:3 height to setback ratio	5.00 ft.	5.00 ft.
Floor Area Ratio (FAR)	3,215.25 sq. ft. (.45)	1006 sq. ft.	1603 sq. ft.

* Based on the range of the contextual block face.

III. Description

The applicant proposes to construct a second-story addition in line and over an existing one-story enclosed porch facing DeWitt Avenue to convert it to a stairwell to access the new proposed second-story addition. The relief sought by the variance application is not available through a special exception process because Section 11-1302(B)(2)(c) of the ordinance indicates that in order for the non-complying enclosed front porch to be eligible for the Special Exception, that porch would have extend for more than 50 percent of the length of the building. The new portion for the stairwell addition would measure 7.50 feet by 11.00 feet for a total area of 83.60 square feet and will continue to be located 8.80 feet from the front property line facing DeWitt Avenue. The porch wall comprises only 39 percent of the linear wall; therefore, it is not eligible for a Special Exception.

A shed dormer at the rear will be constructed to accommodate a second master bedroom and will measure 16.00 feet by 14.00 feet for a total of 224 square feet. On the west side of the house the applicant is using area under the existing roof line and create a reverse gable towards the front of the house to capture usable space. These improvements will be constructed in accordance and in compliance to the R-2-5 zoning regulations and are not subject to the variance.

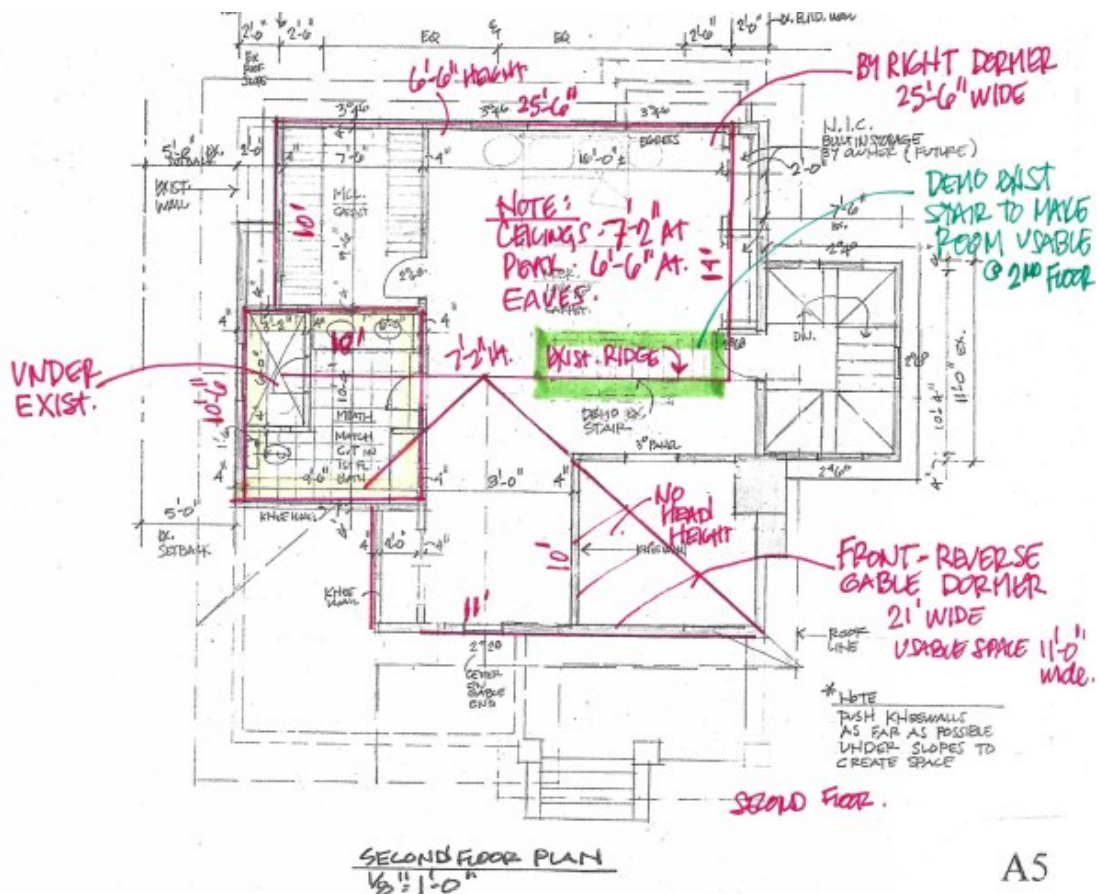


Figure 2

Upon completion of the work, the proposed renovations will continue to comply with the floor area requirements. (Refer to floor area calculations.)

There have been no variances or special exceptions previously granted for the subject property.

IV. Noncomplying Structure/ Substandard Lot

The existing lot is substandard and contains a noncomplying structure with respect to the following:

<u>Regulation</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Lot Width (Primary)	65.00 Feet	49.80 Feet	15.20 Feet
Side Yard (West)	7.00 Feet	5.00 Feet	2.00 Feet

V. Master Plan/Zoning

The subject property has been zoned R-2-5 since adoption of the Third Revised Zoning Map in 1951 and is identified in the Potomac West Small Area Plan for residential use.

VI. Requested Variance:

3-506(A)(1) Front Yard (east)(secondary)

The applicant requests a variance of 4.20 feet from the minimum front setback of 13.00 feet based contextual block face range along DeWitt Avenue to construct a second-story addition in line with the existing one-story enclosed porch to create a new stairwell to access the new proposed second story master bedroom 8.80 feet from the secondary front property line.

VII. Justification for Variance

The applicant states that strict application of section 3-506(A)(1) prevents the reasonable use of the property because the home sits on a corner lot and has two front yards setbacks. The current regulations for the front yards, the contextual block face, creates an extreme hardship on a property that was constructed prior to 1952.

VIII. Analysis of Variance Definition

Per Zoning Ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the definition of a variance per Zoning Ordinance section 2-201.1 as follows:

- a. The request is a reasonable deviation from those provisions regulating the shape, size, or area of a lot or parcel of land or the size, height, area, bulk, or location of a building or structure.

The request is a reasonable deviation from the provision regulating the shape and the location of the existing building. The lot is a corner lot. Corner lots by definition have two front yards and two side yards.

In 2019, the Infill Regulations were nullified whereby the block face would have been the average prevailing of the block. The applicants would not have met that criteria. The new contextual block face regulation provides a range between the closest and furthest setback of abutting properties facing the street or the zone front setback of 20.00 feet. In the case of this property, the enclosed porch on this house predates the current regulations where it sits 8.80 feet from the secondary front property line, but the new minimum must be at least 13.00 feet from the secondary front property line.

The variance being requested is reasonable since other options to locate the stairwell are limited. If the applicant were to build along the west building line, they would still require a level of relief from the Board of Zoning Appeals. If applicant were to build the stairway in compliance with the regulations, egress from the basement would be inaccessible. Additionally, the applicant cannot apply for a Special Exception for the side porch because Section 11-1302(B)(2)(c) of the ordinance indicates that in order for the non-complying enclosed front porch to be eligible for the Special Exception, that porch would have extend for more than 50 percent of the length of the building. The porch wall comprises only 39 percent of the linear wall; therefore, it is not eligible for a Special Exception.

- b. **Strict application of the Zoning Ordinance would unreasonably restrict the utilization of the property.**

The strict application of the Zoning Ordinance would unreasonably restrict the utilization of the property. First, the property is ineligible for a Special Exception to expand along a non-complying wall. Section 11-1302(B)(2)(c) of the ordinance indicates that for the non-complying enclosed front porch to be eligible for the Special Exception, the porch would have to extend for more than 50 percent of the length of the building.

The plat indicates that the linear length of the wall of the enclosed porch is 11.00 feet. While the linear length of the building wall of the dwelling facing the secondary front yard is as 28.00 feet. The porch wall comprises only 39 percent of the linear wall; therefore, it is not eligible for a Special Exception.

Second, the zoning regulations regarding the contextual block face indicate that the front yard is within a range, meaning no structure can be closer or further back than the setback of an abutting property. The ordinance further goes on to indicate that if the range exceeds 20.00 feet, then the residential property in question shall provide a yard of at least 20.00 feet.

In the case of the subject property, it is currently 23.38 percent substandard with respect to the lot width facing Monroe Avenue. The required lot width is 65.00 feet however the subject property only contains a lot width of 49.80 feet in the primary front yard facing East Monroe Street. The lot width to the north side of the property

is 51.50 feet. While the north side of the property is still substandard to the required minimum, it also indicates that this corner lot is not symmetric with respect to the lot lines. Even if the lot lines were symmetric, a level of relief would still be required by the applicant.

Third, the narrowness of the lot makes it challenging to meet the secondary front yard setback along the DeWitt Avenue side of the property. The current house sits 5.00 feet from the west side property line and the enclosed sunroom is located 8.80 feet from the secondary front yard facing DeWitt Avenue. If the new addition were to meet the minimum 13.00 feet from the secondary front yard, it would be 25 percent or a quarter of the width of the lot facing East Monroe Avenue.

Fourth, if an addition was built by right, the proposed addition would hinder the rear egress from the basement.

It is for these reasons that the rules unreasonably restrict the use of the property.

- c. The need for a variance is not shared generally by other properties.

The block along DeWitt Avenue has one religious institution and four other residential houses on the block face. The two houses that sit along the same side of the block as the subject property would be able to comply with the contextual minimum. The two other houses on the other side of the block would be able to meet the standard that is outlined in 3-506(A)(1) that states, "If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet." The only property that would not meet the contextual block face range is the subject property.

- d. The variance is not contrary to the purpose of the ordinance.

The requested variance is not in contrary to the ordinance. Since 1992, the Zoning Ordinance has made several changes to address a myriad of issues that have made it difficult for properties to build or expand.

In 2008 the Infill Regulations were adopted. In those provisions there was a section identified as Section 7-2501 that indicated that the front yard was to be the average along the block face. The established average became the established build-to-line.

In the case of the subject property, it would not have complied with the average prevailing setback. Based on those regulation, the front setback average would have been 19.73 feet facing DeWitt Avenue which would have been the "build to" line.

Because of the many challenges that the regulations brought to houses that sat either in front of the “average prevailing setback” line or very far behind that line, staff re-evaluated, and City Council adopted the new regulations regarding front setback in 2019.

The current rules allow for more flexibility by creating a range based on the contextual block face to determine the front setback required for construction. In the case of the subject property, most of the house complies with the required setback, only the enclosed front porch and proposed second story addition would be located forward of the minimum required 13.00-foot setback.

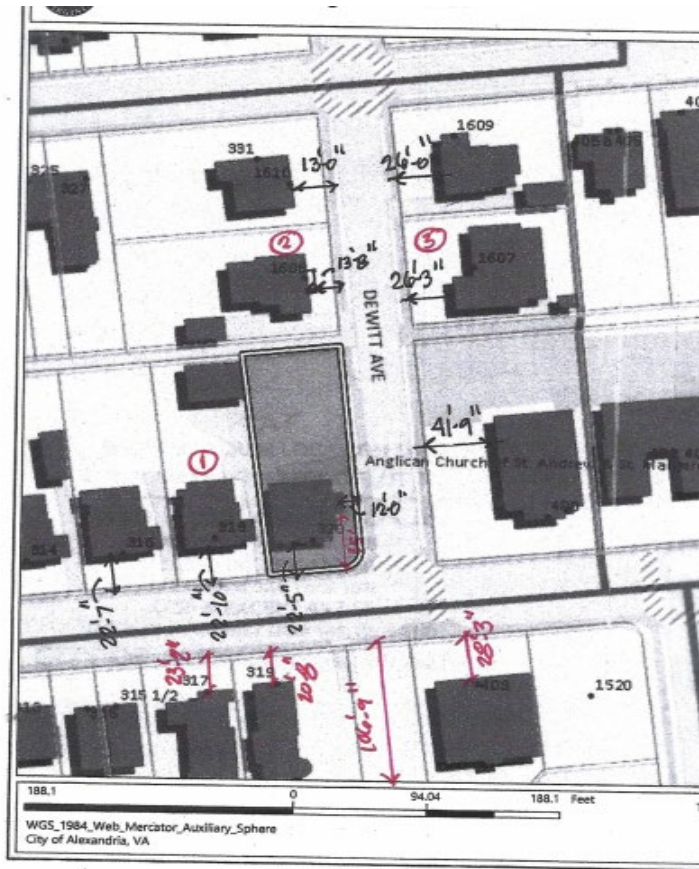


Figure 3

e. The variance does not include a change in use, which change shall be accomplished by a rezoning.

The variance request does not include a change in use. The property will continue to be used as residential single-family dwelling.

IX. Analysis of Variance Standards

Per Zoning Ordinance section 11-1103, the Board of Zoning Appeals shall not grant a variance unless it finds that the request meets the variance standards as follows:

- a. The strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance.

The strict application would unreasonably restrict the utilization of the property. The contextual front yard setback for the corner lot would not allow the applicant to construct over an existing enclosed porch. The narrow width of the lot facing Monroe Avenue also presents a challenge.

do so would require the existing basement egress to be cut off.



Figure 4

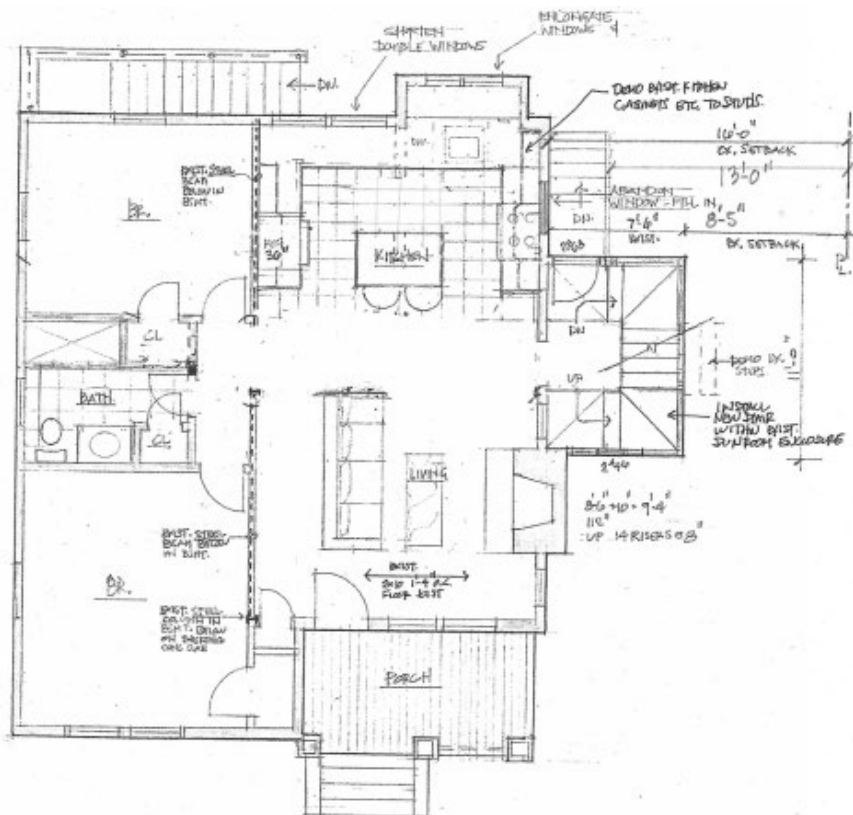


Figure 5

- b. The property interest for which the variance is being requested was acquired in good faith

and any hardship was not created by the applicants for the variance.

The applicant acquired the property in good faith. The existing house was constructed in 1933. In reviewing past ordinances, it was not until the 1951 Ordinance that the zoning classifications breakdown for residential changed to what is seen today.

The 1951 Ordinance indicates that any portion of a corner lot where the frontage is more than one hundred twenty (120) feet shall be considered an interior lot. The subject property has a linear frontage facing DeWitt Avenue 139.93 feet. The ordinance further indicates that interior lots “have frontage on but one street.” When looking at the setback for the R-2-5 zoning in the 1951 ordinance, it indicates that the side yard requirement “shall be seven feet and the minimum setback ratio for residences shall be 1:3.” As there are no known variances on this property, it may be assumed that the porch either existing prior to the 1951 ordinance or the porch was constructed in compliance with the rules of the 1951 ordinance.

The 1965 Sanborn Map indicates that the subject property had an existing structure facing DeWitt Avenue.

The only building permits record prior to the 1992 amendments indicate that in 1973, a permit was issued to remove the screening from a porch and replace with shutters and in 1991, a permit for re-roofing on the structure.

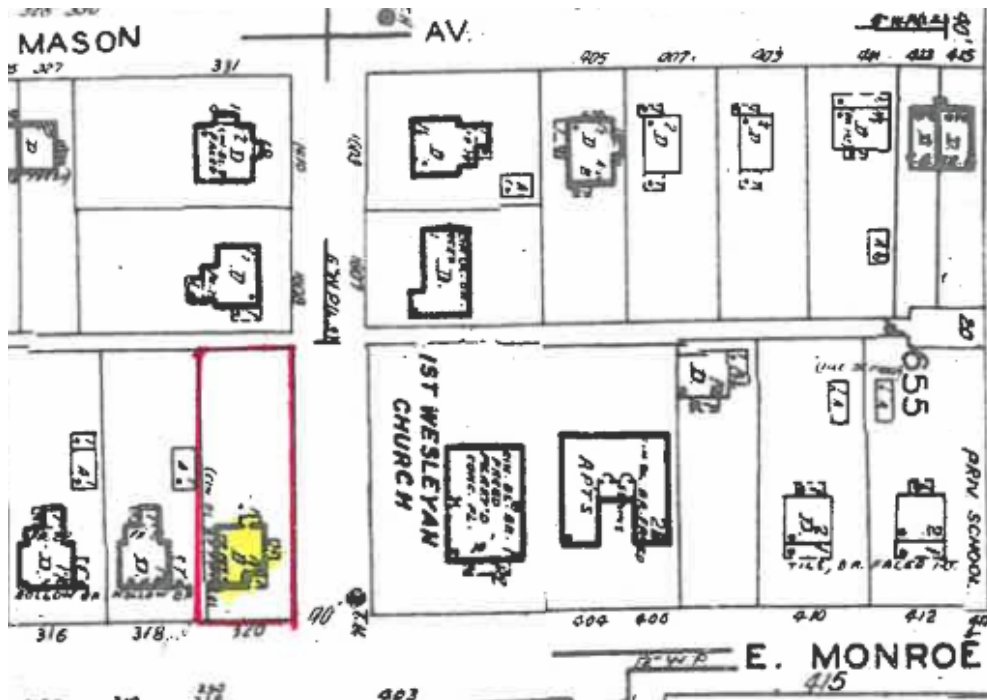


Figure 6

- c. The granting of the variance will not be of substantial detriment to adjacent property and

nearly properties in the proximity of that geographical

The proposed variance will not be a substantial detriment to surrounding adjacent properties. The modest addition would not hinder light or air. The property across Monroe Street is set 106.75 feet back from its front property line. There is approximately 84.00 feet between the house to the north side property line that is adjacent to an alley. In addition, the adjacent neighbor to the north sits on the other side of the 10.00-foot wide alley. The adjacent house to the west currently has a second-story addition. The applicant's proposal will be over the existing footprint on the existing house and the addition will be compatible to size and scale of the neighbor to the west. There will negligible changes to light or air that would affect the adjacent residential properties. In addition, the applicant will be able to maintain open yard space in the north side yard.

- d. The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance.

This corner lot property is unique due to its narrow width, there are other corner lot properties in the immediate area, including those that comprise the contextual block face that do not have the issue of the narrowness of lot width. There would not be a reason for the formulation or adoption for new regulations or to amend the Zoning Ordinance.

- e. The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property.

The variance request will not change the use or zoning of the residential property.

- f. The relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance or the process for modification of a Zoning Ordinance at the time of the filing of the variance application.

The relief sought by the variance application is not available through a special exception process because Section 11-1302(B)(2)(c) of the ordinance indicates that in order for the non-complying enclosed front porch to be eligible for the Special Exception, that porch would have extend for more than 50 percent of the length of the building.

The plat indicates that the linear length of the wall of the enclosed porch is 11.00 feet. While the linear length of the building wall of the dwelling facing the secondary front, yard is as 28.00 feet. The porch wall comprises only 39 percent of the linear wall; therefore, it is not eligible for a Special Exception.

X. Staff Conclusion

Staff **recommends approval** of the requested variance to allow a second story over an existing addition located in the secondary front yard facing DeWitt Avenue.

Staff:

Marlo J.W. Ford, AICP, Urban Planner, marlo.ford@alexandriava.gov

Mary Christesen, Zoning Manager, mary.christesen@alexandriava.gov

Tony LaColla, AICP, Land Use, Division Chief, anthony.lacolla@alexandriava.gov

DEPARTMENTAL COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

* The applicant is advised that if the variance is approved the following additional comments apply.

Transportation and Environmental Services:

- R1. The building permit must be approved and issued prior to the issuance of any permit for demolition, if a separate demolition permit is required. (T&ES)
- R2. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
- R3. No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the plan. (T&ES)
- F1. The applicant should provide a determination of disturbed area per City Guidelines to T&ES prior to submitting for permits. If the land disturbance meets or exceeds 2500 square feet, a released grading plan will be required prior to submitting for permits. (T&ES)
- F2. If the alley located at the rear of the parcel is to be used at any point of the construction process the following will be required:
For a Public Alley - The applicant shall contact T&ES, Construction Permitting & Inspections at (703) 746-4035 to discuss any permits and accommodation requirements that will be required.
For a Private Alley - The applicant must provide proof, in the form of an affidavit at a minimum, from owner of the alley granting permission of use. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Roof, surface and sub-surface drains be connected to the public storm sewer system, if available, by continuous underground pipe. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (Sec. 5-6-224) (T&ES)
- C-4 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)

C-5 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)

C-6 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)

Code Administration:

No comments received by this department

Recreation (Arborist):

Forestry has no comments.

Historic Alexandria (Archaeology):

No archaeological oversight necessary for this project.

Other Requirements Brought to the Applicant's Attention:



APPLICATION
BOARD OF ZONING APPEALS

VARIANCE

Section of zoning ordinance from which request for variance is made:

WE REQUEST A VARIANCE FROM THE SECTION OF THE
ALEXANDRIA VA. ZONING CODE (SECTION 3-506(A)(1))
REGARDING CONTEXTURAL SETBACKS, TO ALLOW CONSTRUCTION
OF A STAIR WITHIN AND OVER AN EXISTING ENTRYWAY.

ALSO CONTACT: GAVIN NICHOLS, ARCHITECT
703-362-8482

PART A

1. Applicant: ☒ Owner ☐ Contract Purchaser ☐ Agent

Name KATIE GERHARD (KATHERINE GERHARD)

Address 320 EAST MONROE AVENUE
ALEXANDRIA, VIRGINIA, 22301

Daytime Phone 703-362-8482 - GAVIN NICHOLS ARCHITECT

Email Address GNARCHITEC@AOL.COM

2. Property Location 320 EAST MONROE AVE, ALEX, VA, 22301

3. Assessment Map # 04302 Block 04 Lot 18 Zone R2-5

4. Legal Property Owner Name KATHERINE L. GERHARD

Address 320 EAST MONROE AVE
ALEXANDRIA, VA, 22301

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. KATHERINE L. GERHARD.	320 E. MONROE AVE.	100
2.	ALEX. VA. 22301	
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 320 E. MONROE AVE, ALEX. VA. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. KATHERINE L. GERHARD	320 E. MONROE AVE.	100%
2.	ALEX. VA. 22301	
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. KATHERINE L. GERHARD	NO Relationship.	NO Relationship.
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

3/6/20
Date

KATHERINE L. GERHARD.
Printed Name *OWNER.*

Katherine L. Gerhard
Signature

3/6/20

SAUL NICHOLS, ARCHITECT

Saul Nichols
Architect

5. Describe request briefly:

AFTER STAFF REVIEW OF A SPECIAL EXCEPTION APPLICATION FOR THIS PROPERTY IT WAS RESOLVED THAT WE NEED TO APPLY FOR A ZONING VARIANCE.

WE REQUEST A VARIANCE FROM THE CONTEXTUAL SETBACK SECTION OF THE ZONING CODE TO ALLOW A MODEST 2ND FLOOR ADDITION OVER A NON-COMPLYING EXISTING ENTRY PORCH. OUR WORK WILL ALLOW A NEW STAIR TO BE BUILT WITHIN THE EXISTING FOOTPRINT EXCEPT FOR THE NEW 2ND FLOOR WORK.

6. If property owner or applicant is being represented by an authorized agent,

such as an attorney, realtor or other person for which there is a form of compensation, does this agent or the business in which they are employed have a business license to operate in the City of Alexandria, Virginia?

☒ Yes — Provide proof of current City business license.

☐ No — Said agent shall be required to obtain a business prior to filing application.

THE UNDERSIGNED HEREBY ATTESTS that all of the information herein provided including the site plan, building elevations, prospective drawings of the projects, etc., are true, correct and accurate. The undersigned further understands that, should such information be found incorrect, any action taken by the Board based on such information may be invalidated. The undersigned also hereby grants the City of Alexandria permission to post placard notice as required by Article XI, Division A, Section 11-301(B) of the 1992 Alexandria City Zoning Ordinance, on the property which is the subject of this application. The applicant, if other than the property owner, also attests that he/she has obtained permission from the property owner to make this application.

APPLICANT OR AUTHORIZED AGENT:

☒ I, as the applicant or authorized agent, note that there is a fee associated with the submittal of this application. Planning & Zoning Department staff will be in contact with the applicant regarding payment methods. Please recognize that applications will not be processed until all fees are paid. (FEE PAID.)

☒ Yes ☐ No I affirm that I, the applicant or authorized agent, am responsible for the processing of this application and agree to adhere to all the requirements and information herein.

Printed Name:

KATHERINE L. GERHARDT, owner.
GAIL NICHOLS, ARCHITECT

Date:

4/1/20

Signature:

Gail Nichols Architect, AIA, Agent.

Pursuant to Section 13-3-2 of the City Code, the use of a document containing false information may constitute a Class 1 misdemeanor and may result in a punishment of a year in jail or \$2,500 or both. It may also constitute grounds to revoke the permit applied for with such information.

PART B

APPLICANT MUST EXPLAIN THE FOLLOWING:

(Please attach additional pages where necessary.)

1. Please answer A or B:

- A. Explain how enforcement of the zoning ordinance would prevent reasonable use of the property.**

A STRICT ENFORCEMENT OF THE ZONING ORDINANCE ON A PROPERTY CONSTRUCTED PRIOR TO 1952 WILL CREATE AN EXTREME HARDSHIP. THE HOME IS ON A CORNER LOT, THE HOME HAS 2 FRONT YARD SETBACKS. THE HOME SITS IN ITS SIDE YARD SETBACK ON THE WEST SIDE. (5'0") WE PROPOSE TO CONSTRUCT WORK WITHIN THE HOMES EXISTING NON COMPLYING FOOTPRINT.

- B. Explain how the variance, if granted, would alleviate a hardship, as defined above.**

THE GRANTED VARIANCE WILL ALLOW THE CONSTRUCTION OF A NEW COMMUNICATING STAIRWAY IN THE EXISTING NONCOMPLYING EXISTING ENTRY PORCH FOOTPRINT AND ALLOW A NEW 2ND FLOOR TO BE ADDED ALLOWING ACCESS TO THE 2ND FLOOR NEW BEDROOM. A STRICT ENFORCEMENT OF THE CURRENT SETBACK CREATES A HARDSHIP. WE SEEK TO BUILD OVER THE EXISTING PORCH.

2. Is this unreasonable restriction or hardship unique to the property?

- A. Explain if the restriction or hardship is shared by other properties in the neighborhood.**

THE UNIQUE PLACEMENT OF THE HOME ON THE LOT, THE 2 FRONT YARD SETBACK REQUIREMENTS, THE CORNER LOT ALL ADD TO THE HARDSHIP NOT SHARED BY OTHER NEIGHBOR PROPERTIES.

- B. Does this situation or condition of the property (on which this application is based) generally apply to other properties in the same zone?**

NO, OUR SUBJECT HOME & LOT IS ON A CORNER. AN OTHER NEIGHBOR HOMES ARE ON MID BLOCK LOTS WITH NORMAL FRONT, SIDE & REAR SETBACKS. THE UNIQUE LOCATION PROVIDES A HARDSHIP UNIQUE TO THIS PROPERTY.

3. Was the unreasonable restriction or hardship caused by the applicant?

A. Did the condition exist when the property was purchased?

NO, THE OWNER PURCHASED THE HOME AS LOCATED AND DID NOT CAUSE THE HARDSHIP, THE UNIQUE LOCATION AND HOME HAD THE CONDITIONS WHEN PURCHASED.

B. Did the applicant purchase the property without knowing of this restriction or hardship?

YES. IT IS REASONABLE TO PURCHASE A HOME, EXPECT TO POSSIBLY MAKE IMPROVEMENTS OVER THE EXISTING FOOTPRINT, AND NOT KNOW OF RESTRICTIONS.

C. How and when did the condition, which created the unreasonable restriction or hardship, first occur?

IF THE HOME WAS ORIGINALLY CONSTRUCTED PRIOR TO 1952 THE REGULATIONS MAY HAVE BEEN DIFFERENT. REGARDING ZONING SETBACKS, SETBACKS HAVE BEEN CHANGED SEVERAL TIMES IN THE CURRENT ZONING CODE OVER THE YEARS, AND DESIGN IS TO BE BUILT OVER THE EXISTING HOME FOOTPRINT. AND IS REASONABLE, THE HARDSHIP CREATED BY THE ZONING CODE IS AN UNREASONABLE RESTRICTION.

D. Did the applicant create the unreasonable restriction or hardship and, if so, how was it created?

THE APPLICANT DID NOT CREATE THE HARDSHIP.

4. Will the variance, if granted, be harmful to others?

A. Explain if the proposed variance will be detrimental to the adjacent properties or the neighborhood in general.

THE GRANTING OF THE VARIANCE WILL NOT BE HARMFUL TO ADJACENT PROPERTIES. THE STAIR/PORCH IS A MINIMAL EXPANSION TO ALLOW A NEW STAIR TO THE 2ND FLOOR AND BASEMENT. THE EXPANSION FACES A CHURCH TO THE EAST AND HOMES ACROSS MONROE AVE TO THE SOUTH. THE MINIMAL STAIR EXPANSION IS A REASONABLE REQUEST.

- B. Has the applicant shown the proposed plans to the most affected property owners? Have these property owners written statements of support or opposition of the proposed variance? If so, please attach the statements or submit at the time of the hearing.

THE APPLICANT HAS SHOWN THE PLANS TO THE NEIGHBORS AND WILL SUPPLY SUPPORT LETTERS BY HEARING TIME. ALSO THE VIRUS - HAS CREATED A TIMELY SITUATION FOR NEIGHBORS TO OBJECT.

5. Is there any other administrative or procedural remedy to relieve the hardship or unreasonable restriction?

THE APPLICANT AND DESIGN TEAM AFTER MEETING WITH CITY STAFF, CAN SEE NO ADMINISTRATIVE REMEDY TO ASSIST THEM. STAFF REVIEW OF THE ORIGINAL SPECIAL EXCEPTION APPLICATION FOR THE PROJECT FOUND THE NEED FOR THIS CHANGE TO A VARIANCE REGARDING THE UNIQUE HARDSHIP ON THE SITE.

PART C

1. Have alternative plans or solutions been considered so that a variance would not be needed? Please explain each alternative and why it is unsatisfactory.

THE DESIGN INVOLVES A MODEST STEP BACK GABLE DORMER ON THE SOUTH-MONROE AVE. SIDE. THE DESIGN INVOLVES A MODEST SLED DORMER ON THE NORTH SIDE. PLEASE NOTE: THE HEIGHT OF THE DORMERS IS AT THE HEIGHT OF THE EXISTING HOME TO RESPECT THE NEIGHBOR HOMES STYLES AND DETAILS. THE RESULTANT INTERIOR 2ND FLOOR HEIGHT IS 7'-0" - THE DESIGN IS MODEST AND REASONABLE. PLEASE NOTE THE WEST SIDE DORMER MEETS THE 7'-0" SETBACK - THE EXISTING HOUSE DOES NOT @ 5'-0". THE EXISTING PORCH SITS IN THE NEW CONTEXTURAL SETBACK AREA AND THE NEW 2ND FLOOR ADDITION AND STAIR FOUNDATION TO THE BASEMENT, SIT ENTIRELY IN THE EXISTING FOOTPRINT. A REASONABLE DESIGN SOLUTION, THERE ARE NO ALTERNATIVES TO ASSIST IN THIS DESIGN. IF THE HOME WAS A NORMAL INTERIOR LOT OR DESIGN WOULD COMPLY. THE UNIQUE CORNER LOT AND CURRENT CODES CAUSE THE HARDSHIP.

From: Marlo Ford Marlo.Ford@alexandriava.gov
Subject: 320 E. Monroe Avenue
Date: Mar 31, 2020, 2:04:37 PM
To: Gaver Nichols Architect gnarchitec@aol.com
Cc: katiegal711@gmail.com, Kaliah L Lewis -
kaliah.lewis@alexandriava.gov, PCZoning
PCZoning@alexandriava.gov

Good Afternoon:

Staff has received your application and the Board of Zoning Appeals. Your call to Ann Horowitz who works with Special Use Permits was forwarded to me.

I am the Planner assigned to review and write the staff report. After the staff meeting, it has come to my attention that I omitted a Zoning Ordinance regulations and the case is not a Special Exception but a Variance case.

In Section 11-1302(B)(2)(c) of the Zoning Ordinance indicates that in order for the non-complying enclosed front porch to be eligible for the Special Exception, that porch would have to be at least 50% of the length of the building wall.

The plat submitted indicates that the linear wall of the enclosed porch is 11.00 feet and the plat that staff had on file indicates main linear wall of the house is indicates as 28.00 feet (see attachment) which is only 39% of the linear wall so it is not eligible for a Special Exception.

I have enclosed for you the zoning regulation and the staff guidance memo that is used for such cases.

Please submit for a Variance application. This is one where I am looking to recommend approval due to the narrowness of the lot but also in using the contextual block face and the narrowness of the lot would add a constraint that other properties may not face.

(b) Yard and setback requirements for enlargement of a dwelling, as follows:

(1) Yard and setback requirements applicable to the extension or enlargement of a single family, two family or townhouse dwelling only, within any one noncomplying plane of such dwelling:

(a) As used in this subsection, the term noncomplying plane means the vertical plane established by a wall, one story or more in height, of a main building which wall:

(i) Does not comply with the yard or setback requirements of this ordinance;

(ii) Existed prior to the effective date of any change to the yard or setback regulations or restrictions applicable to such wall; and

(iii) Extends for more than 50 percent of the length of the building along the side containing such wall.

(c) Yard and setback requirements for a front porch subject to the following requirements:

(1) The applicant for a front porch shall demonstrate by clear and convincing evidence that the proposed front porch is compatible with the existing building architecture, neighboring properties and neighborhood character, and will comply with the following requirements:

(a) No portion of the front porch shall extend beyond either end of the front building facade unless such extension complies with the regulations for the zone in which it is located;

(b) The roof line of the porch shall be in scale with the existing building architecture;

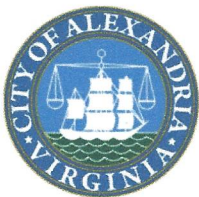
(2) Nothing in this subsection shall be deemed to authorize the extension or enlargement of a single family, two family or townhouse dwelling beyond the height or floor area ratio permitted by the zone in which such dwelling is located, nor to authorize the approval of more than one special exception per dwelling under the provisions of this subsection.

Lastly, per your voicemail, please be advised that the system is showing that all fees have been paid. Please submit the Variance application. The Boards and Commission staff person for the BZA, Kaliah Lewis is copied on this email.

The screenshot displays a web application for managing zoning plans. The 'Plan Details' section shows a plan titled 'Board of Zoning Appeals' with a status of 'In Progress'. A table at the bottom lists fees, including 'Variance/Special Exception - Residential' and 'Variance/Special Exception - Residential Code Fee', both showing a status of 'Paid In Full'.

Regards,

Marlo J.W. Ford, AICP
Land Use Services, Planning and Zoning
[703.746.3841](tel:703.746.3841)



United States®
**Census
2020**

Everyone Counts!

Complete the Census to
Help Your Community

alexandriava.gov/Census2020

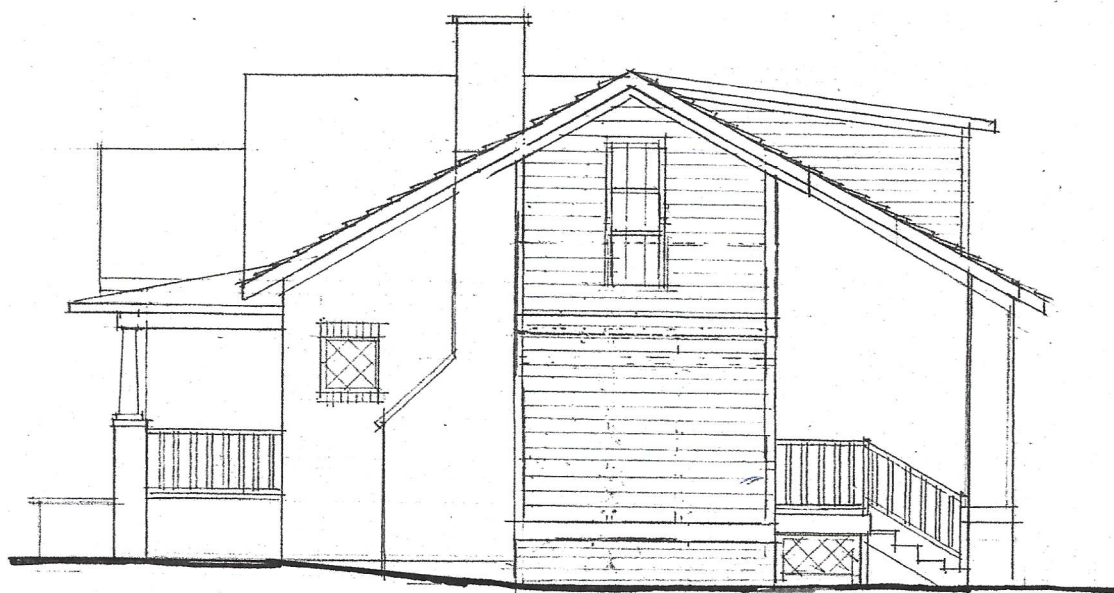
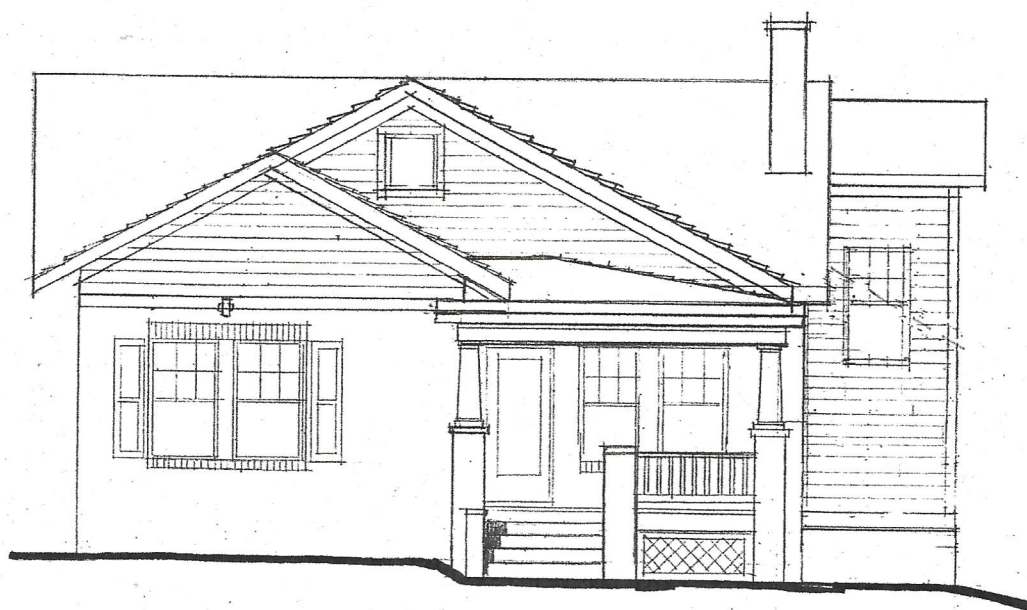
A

COVER SHEET

01/01/00

GAVR
NICHOLS
ARCHITECT

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Gavier Nichols Architects expressly reserves its controlling
copyright and other property rights in these drawings and design
these drawings and design are not to be reproduced, changed or
copied in any manner whatsoever nor shall they be assigned to
any third party without first obtaining expressed written
consent and agreement from the architect.


$$\frac{1}{0''} = \frac{1}{-0''}$$

$$\frac{1}{8} = .125$$

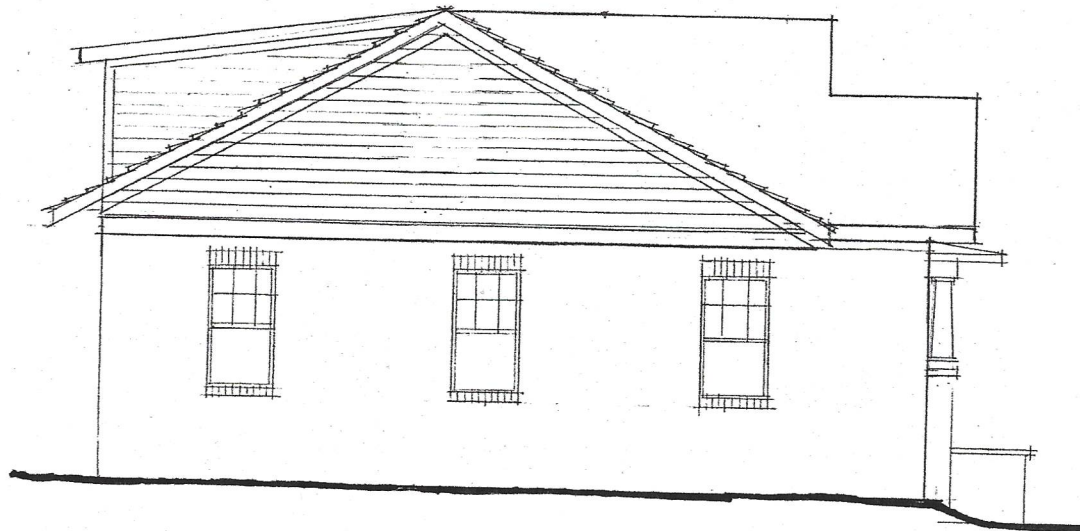
320 East Monroe Avenue
Alexandria, Virginia

320 East Monroe Avenue
Alexandria, Virginia



North Elevation

$\frac{1}{8}'' = 1'-0''$

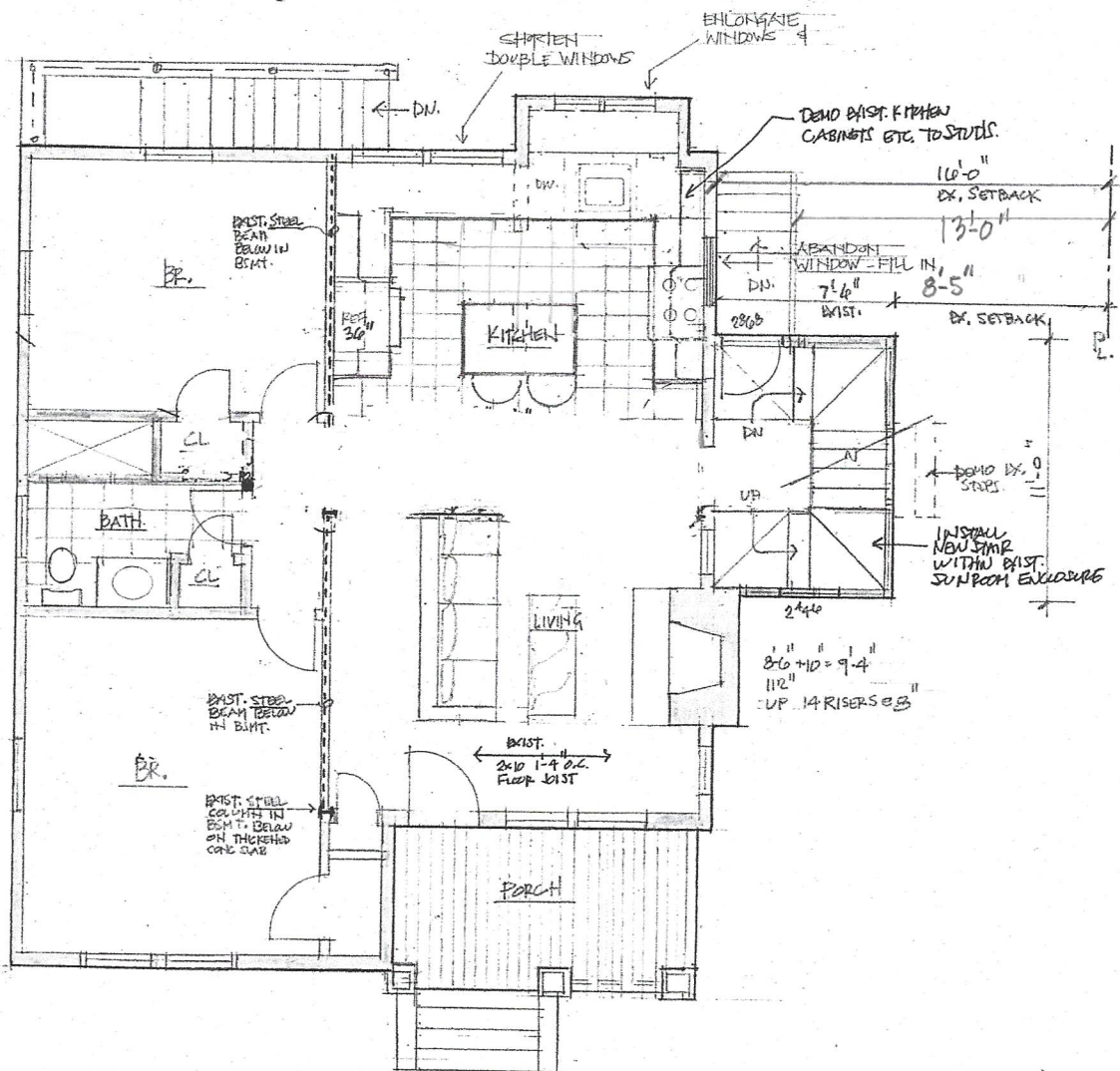
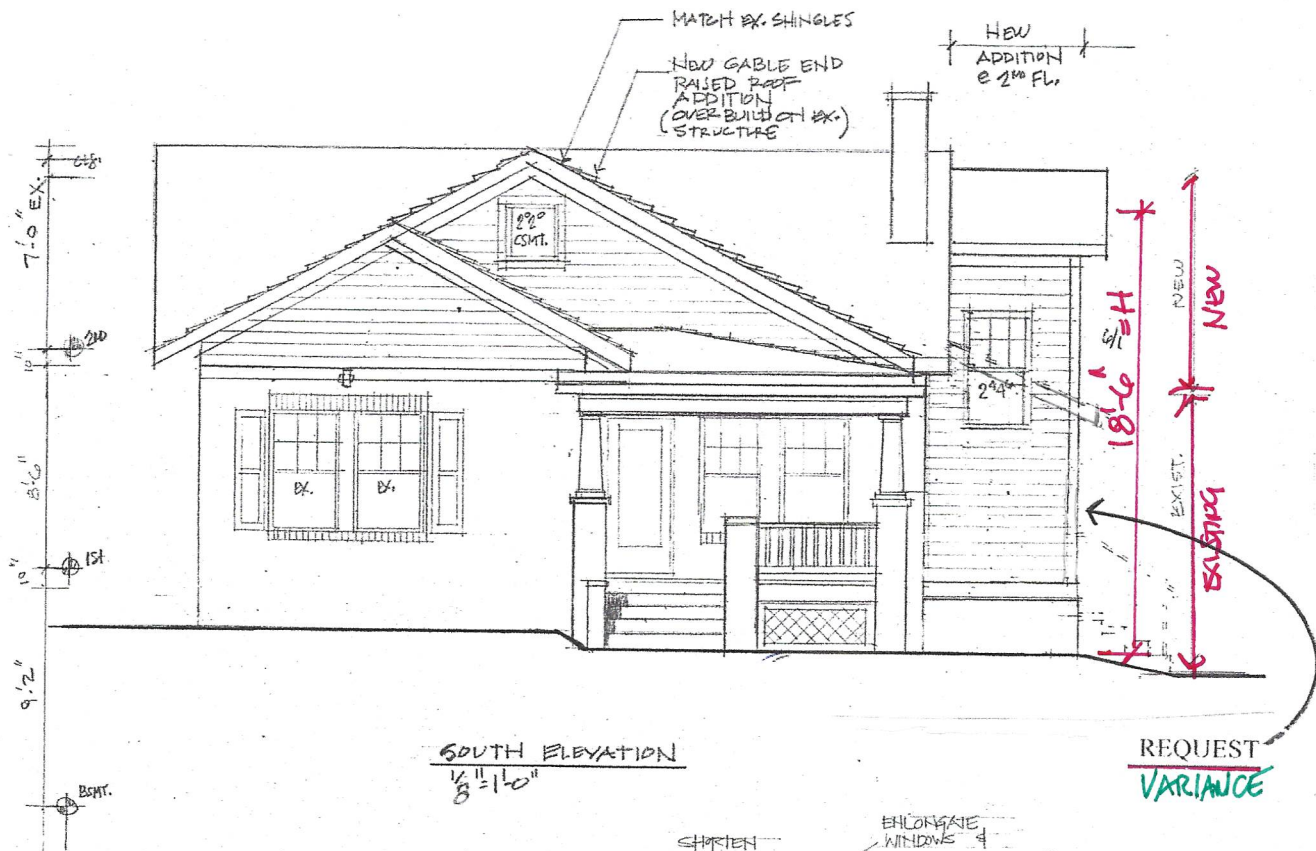


West Elevation

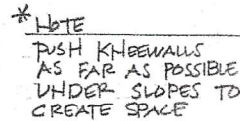
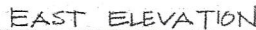
$\frac{1}{8}'' = 1'-0''$

320 East Monroe Avenue
Alexandria, Virginia

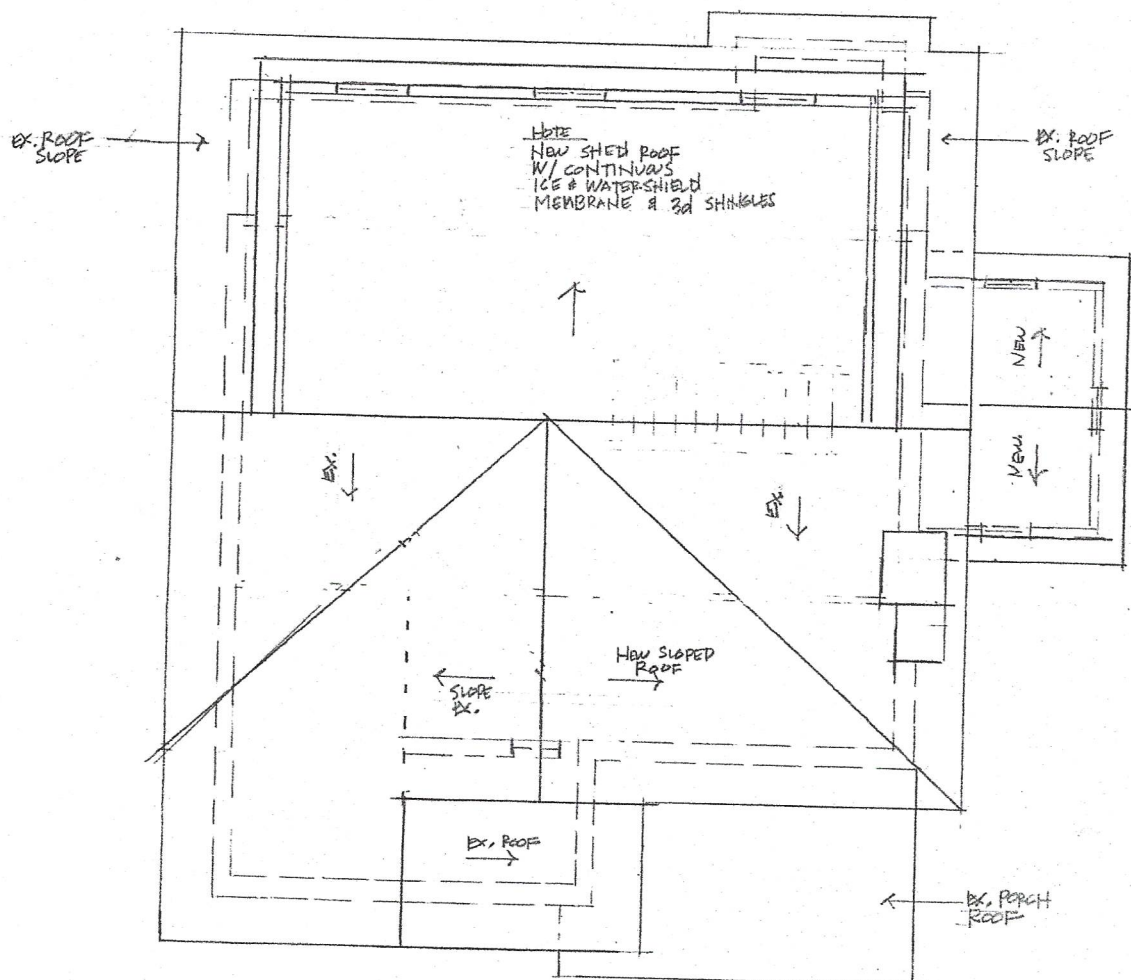
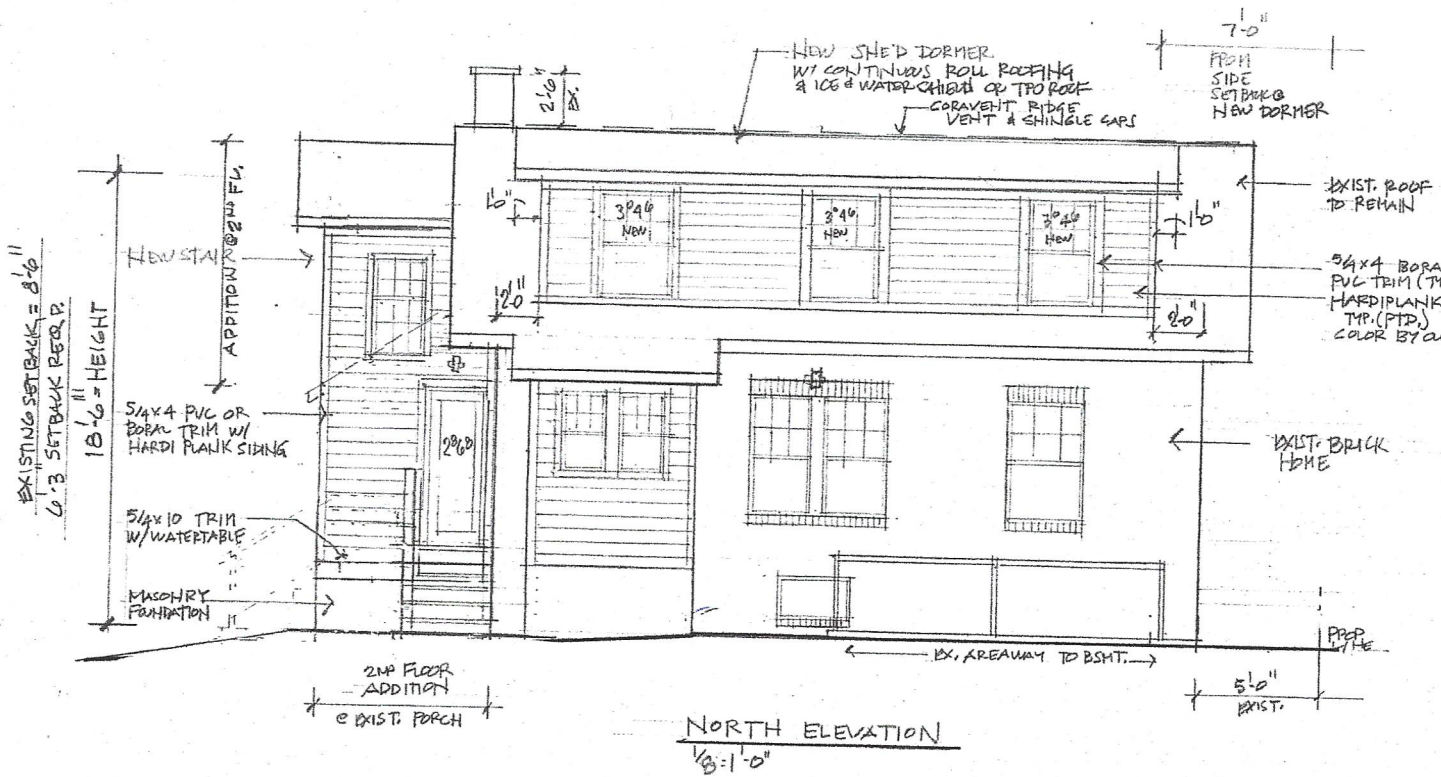
A2



REQUEST


$$\frac{1}{2} = 1 - 0$$

A5



A6



Department of Planning and Zoning

Floor Area Ratio and Open Space Calculations for

Single and Two-Family Residential Outside Historic Districts

A

A. Property Information

A1. 320 EAST MONROE AVENUE ALEX. VA.
Street Address

Zone R2-5

A2. 7145 x .45 =
Total Lot Area Floor Area Ratio Allowed by Zone

3215
Maximum Allowable Floor Area

B. Existing Gross Floor Area

Existing Gross Area

Basement 922
First Floor 999
Second Floor 0
Third Floor 0
Attic 908
Porches 88
Balcony/Deck 0
Garage 0
Other*** 0

Allowable Exclusions**

Basement** 922
Stairways** 0
Mechanical** 0
Attic less than 7'*** -908
Porches** 88
Balcony/Deck** 0
Garage** 0
Other*** 0
Other*** 0

B1. 2917 Sq. Ft.
Existing Gross Floor Area*

B2. 1911 Sq. Ft.
Allowable Floor Exclusions**

B3. 1006 Sq. Ft.
Existing Floor Area Minus Exclusions
(subtract B2 from B1)

Comments for Existing Gross Floor Area

B1. Total Gross 2917

B2. Total Exclusions 1911

C. Proposed Gross Floor Area

Proposed Gross Area

Basement 0
First Floor 0
Second Floor 762
Third Floor 0
Attic 146
Porches 0
Balcony/Deck 0
Garage 0
Other*** 0

Allowable Exclusions**

Basement** 0
Stairways** 165
Mechanical** 0
Attic less than 7'*** 146
Porches** 0
Balcony/Deck** 0
Garage** 0
Other*** 0
Other*** 0

C1. 908 Sq. Ft.
Proposed Gross Floor Area*

C2. 311 Sq. Ft.
Allowable Floor Exclusions**

C3. 597 Sq. Ft.
Proposed Floor Area Minus Exclusions
(subtract C2 from C1)

C1. Total Gross 908

C2. Total Exclusions 311

D. Total Floor Area

D1. 1603 Sq. Ft.
Total Floor Area (add B3 and C3)

D2. 3215 Sq. Ft.
Total Floor Area Allowed
by Zone (A2)

E. Open Space (RA & RB Zones)

E1. N/A Sq. Ft.
Existing Open Space

E2. N/A Sq. Ft.
Required Open Space

E3. N/A Sq. Ft.
Proposed Open Space

Notes

*Gross floor area for residential single and two-family dwellings in the R-20, R-12, R-8, R-5, R-2-5, RB and RA zones (not including properties located within a Historic District) is the sum of all areas under roof of a lot, measured from exterior walls.

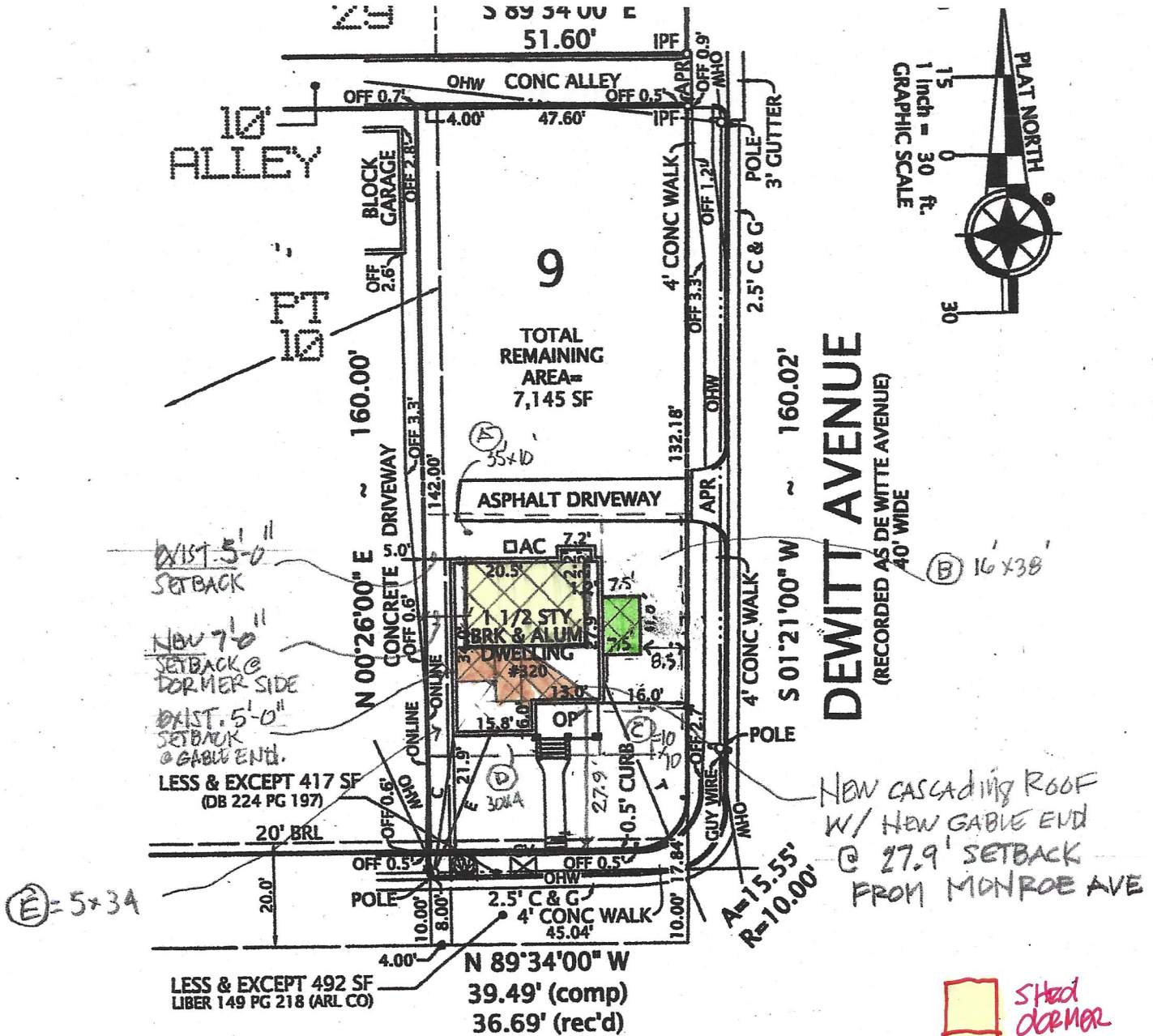
** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.



*** Refer to the Zoning Ordinance (Section 2-145(A)) and consult with Zoning Staff for additional allowable exclusions. Additional exclusions may include space under balconies, retractable awnings, etc.

The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: Edmund Jacob AIA

Date: 3/6/20



-  shed dormer
-  Add 2nd Floor to EXIST PORCH FOR NEW STAIR
-  NEW REVERSE GABLE DORMER @ 2ND FLOOR

REQUEST - VARIANCE
320 EAST MONROE AVE.

BUILD ON TOP OF
EXISTING WALLS

DEWITT AVE →

320



(A) *Yard requirements.*

- (1) *Front yard.* For each residential use, the front yard shall be between the range of front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. Any other

DIMENSIONS ARE FROM SIDEWALK EDGE

PROJECT 320 EAST MONROE AVENUE
ALEXANDRIA, VA.

* NOTE: DIMENSIONS TAKE W/LASER MEASURE - INTERIOR
SIDEWALK TO HOMES

GAVEN
NICHOLS
ARCHITECT
studio: Alexandria, VA. Baltimore, Cambridge, MD

DEAR ZONING PEER REVIEW FOLKS

PROJECT: MINOR ADDITIONS TO EXISTING HOME.
WITH 2 STREET FRONTS.

2 FRONT YARD SETBACKS.
LOCATED IN R2-5 ZONE.

DEWITT AVE SETBACKS

320 E MONROE

12'-0" @ EXIST. PORCH.
16'-0" @ EXIST HOUSE

NOTE PLAN TO ADD 2ND FLOOR ROOF TO PORCH TO
CREATE NEW STAIRWAY.

1506 DEWITT AVE - 13'-8" TO EXIST HOME.

1610 DEWITT AVE - 13'-0" TO EXIST NEW HOME.
BUILT. 2018-2019

1609 DEWITT AVE - 26'-0"

1607 DEWITT AVE - 26'-3"

IT WOULD BE OUR OPINION THAT OUR EXISTING HOME SETS WITHIN
THE CONTEXTUAL BLOCK FACE OF 12'-0" - 26'-3"

3-506 - Bulk and open space regulations.

(A) Yard requirements.

- (1) *Front yard.* For each residential use, the front yard shall be between the range of front yards within the contextual block face. If the minimum front yard, including the front yard of the property in question, within this range exceeds 20 feet, a residential use shall provide a front yard of at least 20 feet. Any other use shall provide a front yard of at least 25 feet.

w w w . g a v e r n i c h o l s a r c h i t e c t . c o m

①

SETBACKS ON EAST MONROE AVENUE

<u>320 EAST MONROE AVENUE.</u>	22'-5"	FROM SIDEWALK. TO EXIST HOUSE.
	21'-11"	ACTUAL FROM SURVEY
		35'-0" TO SIDE OF EXIST PORCH. FROM MONROE WALK
<u>318 EAST MONROE AVE.</u>	22'-10"	
<u>317 EAST MONROE AVE.</u>	23'-2"	
<u>319 EAST MONROE AVE</u>	20'-8"	
<u>401 EAST MONROE AVE.</u>	106'-9"	
<u>403 EAST MONROE AVE.</u>	28'-3"	

IT WOULD BE AN OPINION THAT AN EXISTING HOME
PORCH/STAIR AND THE NEW FRONT SETBACK GABLE BOTH
FIT WITHIN THE CONTEXTUAL SETBACK BACKFACE
OF 20'-8" - 106'-9"

IF YOUR DECISION IS TO REQUIRE A VARIANCE OR
COMBINATION OF A SPECIAL EXCEPTION & VARIANCE.

OUR PROPERTY WAS BUILT PRIOR TO 1952

HAS HAD NO ADDITIONS OVER THE YEARS.

OUR PROPOSED DESIGN BUILDS ON TOP OF THE EXISTING FOOTPRINT.
THE HOME IS ON A 7145 S.F. LOT.

320 EAST MONROE AVE

Garage

Softball
New Perouse Cable!
Determine 2nd floor

* Request
VARIANCE

For Approval

← Addition e
Permit For stair →



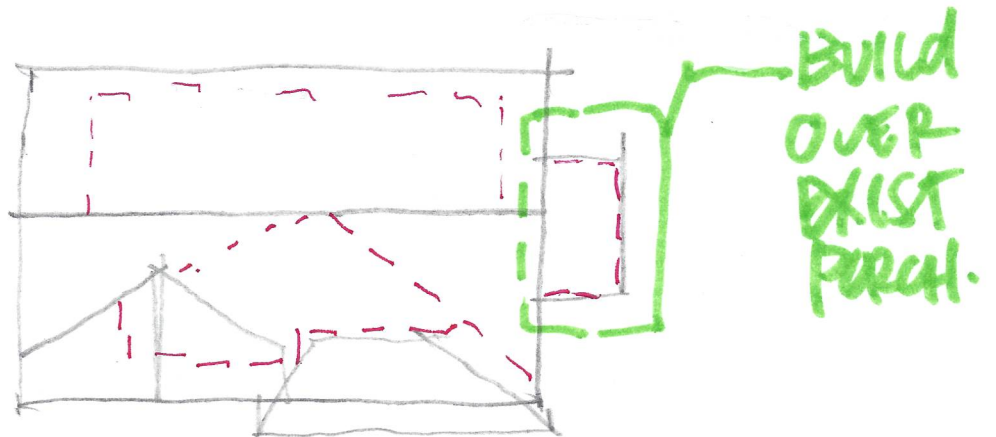
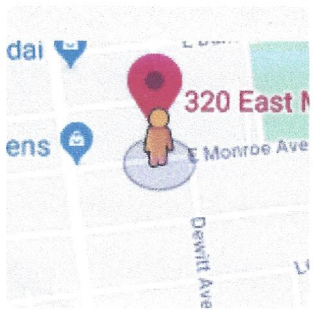
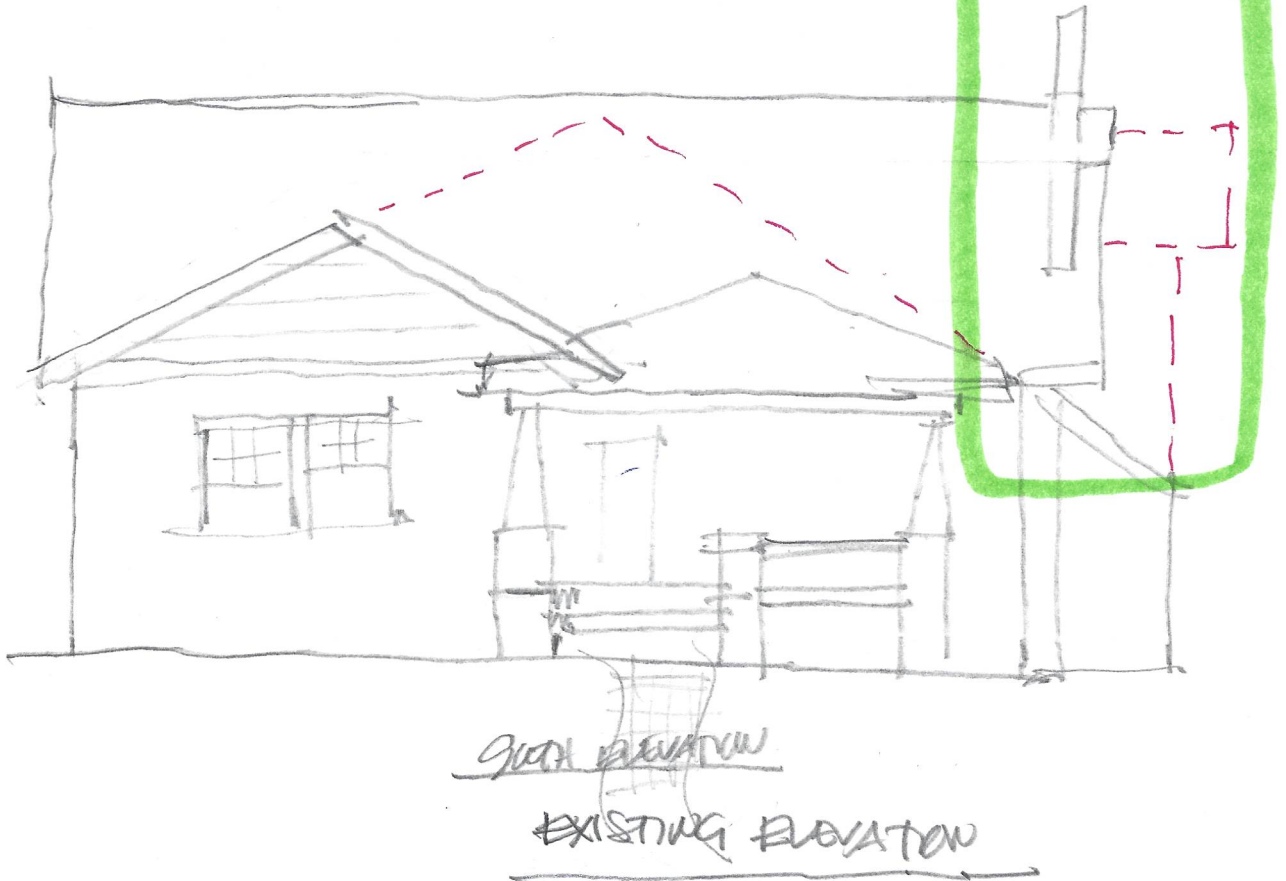
EAST ELEVATION

1/4 1/2 - 0 DEWITT AVENUE VIEW.

VARIANCE
REQUEST

REQUEST

320 E Monroe Ave VARIANCE



FLOOR PLAN

SKETCH

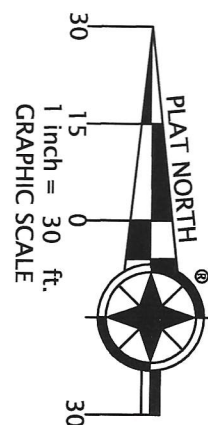
VARIANCE
REQUEST

320 EAST MONROE AVE.

CONSTRUCT ON TOP
OF EXIST. PORCH

DEWITT AVE

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(RECORDED AS WASHINGTON AVENUE)
48' WIDE

SHOWING HOUSE LOCATION ON

LOT 9 AND EAST 4 FEET OF LOT 10

(DEED BOOK 135, PAGE 218)

LESS & EXCEPT 417 SF

(DEED BOOK 224, PAGE 197)

LESS & EXCEPT 492 SF

(ARLINGTON COUNTY LIBER 149, PAGE 218)

SCALE: 1" = 30'

MARCH 26, 2018

DANIEL STRINGER AND APRIL REEVES | 1608 DEWITT AVE, ALEXANDRIA, VA 22301
DAN.STRINGER@GMAIL.COM | REEVES.APRIL@GMAIL.COM

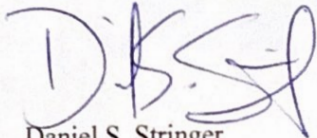
Director of Zoning and Planning
City Hall
301 King Street, Room 2100
Alexandria, VA 22314

Dear Director,

We are the owners of 1608 Dewitt Avenue. Our property is adjacent to Katie Gerhard's property located at 320 E. Monroe Avenue. We have reviewed the renovation plans for Katie's home and support her variance request.

Should you have any questions or require additional information, please feel free to email using the above contact information.

Best regards,



Daniel S. Stringer



April E. Reeves